



JC07 Rec'd PCT/PTO 18 MAR 2002

03-20-02

Patent #5

Attorney Docket: 260/264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
ANTOINE CARPENTIER) Group Art Unit: Not Yet Assigned
Serial No.: 09/937,057) Examiner: Not Yet Assigned
Filed: September 19, 2001)
For: USE OF STABILISED)
OLIGONUCLEOTIDES FOR)
PREPARING A MEDICAMENT)
WITH ANTITUMOR ACTIVITY)

INFORMATION DISCLOSURE STATEMENT

BOX IDS
Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

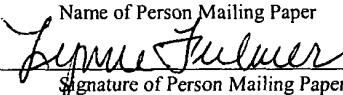
OC-106049.1

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

EV 051628608 US
Express Mail Label No.

March 18, 2002
Date of Deposit

Lynne Fulmer
Name of Person Mailing Paper

Signature of Person Mailing Paper

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

- Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

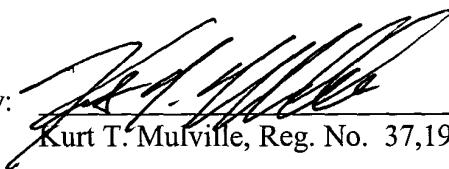
- A check in the amount of _____ is enclosed for the above fee(s).
- Please charge \$_____ to Deposit Account No. **12-2475** for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

By:


Kurt T. Mulville, Reg. No. 37,194

Dated: March 18, 2002

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213/955-0440 Facsimile

MPEP
SEARCHED

(Use several sheets if necessary)

MAR 18 2002 TRADEMARK OFFICE	WO 94/25588	4/30/1993	PCT				
	WO 96/02555	7/15/1994	PCT				
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	WO 99/12027	8/29/1997	PCT				
	WO 99/26634	11/24/1997	PCT				
	WO 99/51259	4/3/1998	PCT				
	WO 00/62923	6/5/1998	PCT				
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	WO 00/21556	10/9/1998	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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	Ishizaka, Y. et al., "Human <i>ret</i> proto-oncogene mapped to chromosome 10q11.2," Nat'l Cancer Res. Instit. August 17, 1989 (Short Report)
	LaPlanche, Laurine A. et al., "Phosphorothioate-modified oligodeoxyribonucleotides, III, NMR and UV spectroscopic studies of the R _p -R _p , S _p -S _p , and R _p -S _p duplexes, [d(GG ₈ AATTCC)] ₂ , derived from diastereomeric <i>O</i> -ethyl phosphorothioates," Nucleic Acids Research, Vol. 14, Number 22, 1986 pp. 9081-9093
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	Rodgers, Kathy E. et al., "Investigations into the Mechanism of Immunosuppression Caused by Acute Treatment with <i>O,O,S</i> -Trimethyl Phosphorothioate: Generation of Suppressive Macrophages from Treated Animals," Toxicol. And Applied Pharmacol. 88, 270-281 (1987)
	Ross, Peter et al., "The Cyclic Diguanylic Acid Regulatory System of Cellulose Synthesis in <i>Acetobacter xylinum</i> ," J. of Biol. Chem. Vol. 265, Issue of Nov. 5 pp. 18933-18943, 1990

EXAMINER:

Not Yet Assigned

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

OC-106036.1

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

ATTY. DOCKET NO.
260/264SERIAL NO.
09/937,057APPLICANT:
Antoine CarpenterFILING DATE:
September 19, 2001GROUP:
Not Yet Assigned

MAR 18 2002

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
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	5,723,335	3/3/1998	Hutcherson et al.			
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	6,001,982	12/14/1999	Ravikumar et al.			
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	6,239,116	5/29/2001	Krieg et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	NO
	0 468 520 A2	7/27/1990	EP				

EXAMINER:

Not Yet Assigned

DATE CONSIDERED:

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